

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

HEADWATER RESEARCH LLC

*Plaintiff,*

v.

SAMSUNG ELECTRONIC CO., LTD and  
SAMSUNG ELECTRONICS AMERICA, INC.,

*Defendants.*

Case No. 2:22-CV-00422-JRG-RSP

**SAMSUNG DEFENDANTS' MOTION TO EXPEDITE BRIEFING  
ON SAMSUNG'S MOTION TO STRIKE AMENDED EXPERT REPORTS OF  
DR. ANDREAS GROEHN AND MR. DAVID KENNEDY**

Defendants Samsung Electronics Co., LTD ("SEC") and Samsung Electronics America, Inc. ("SEA") (collectively "Samsung") respectfully file this opposed motion to expedite briefing on Samsung's Motion to Strike the Amended Expert Reports of Plaintiff Headwater Research, LLC's damages experts, Dr. Andreas Groehn and Mr. David Kennedy.

Samsung submits that expedited briefing is appropriate in view of the fast-approaching of May 9, 2024 deadline to complete expert discovery, the straightforward nature of the issue presented in Samsung's motion, and the tailored relief sought by Samsung. Expert discovery is well underway, and Dr. Groehn's and Mr. Kennedy's depositions will take place within the next two weeks. Samsung's expert depositions are also underway, and Samsung's damages experts are faced with potentially new damages opinions that they will only have the chance to opine on and rebut for the first time in deposition, since the Court's Docket Control Order and the case schedule does not allow for any additional expert reports. Absent the Court's guidance on what damages opinions from Dr. Groehn and Mr. Kennedy are operative in this case, Samsung will have no

choice but to likely expend additional thousands of dollars and numerous hours (both by its experts and its attorneys) responding at the eleventh hour to untimely damages opinions that may be stricken.

Counsel for Samsung and Headwater have conferred, and Headwater opposes the expedited briefing requested by Samsung.

Samsung thus respectfully requests that the Court grant this Motion and enter an order shortening the briefing schedule as follows: (1) Headwater's response in opposition to Samsung's Motion to Strike is due on or before April 29, 2024, and (2) no further briefing is allowed.

Dated: April 25, 2024

Respectfully submitted,

By: /s/ Thomas H. Reger II

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on Plaintiff through its counsel of record via email on April 25, 2024.

/s/ Thomas H. Reger II

Thomas H. Reger II

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that counsel for Defendants have complied with the meet and confer requirement in Local Rule CV-7(h). This motion is opposed. The personal conference required by Local Rule CV-7(h) was conducted on April 24, 2024. The parties were unable to reach agreement as to Samsung's requested relief.

/s/ Katherine H. Reardon

Katherine H. Reardon